

**TOWN COUNCIL
EMERGENCY MEETING
OCTOBER 18, 2005**

The meeting was called to order at 6:51 pm. Present at the meeting were Mayor Truex, Vice-Mayor Hubert and Councilmembers Crowley, Paul and Starkey. Also present were Town Attorney Kiar, special counsel Delegal and Town Clerk Muniz recording the meeting. Town Administrator Kovanes was absent.

1. Discussion of Town Administrator

Mayor Truex advised that because of the sensitivity of this issue, the Town had requested that special counsel Sue Delegal handle this issue.

Police Chief John George advised that he had reviewed strong documentation of potential wrongdoing by Mr. Kovanes. Because of his concern, he had contacted the Broward State Attorney's Office who referred him to the Florida Department of Law Enforcement as an outside source to review the documents and circumstances. Chief George stated that it was not that the Town's Police Department could not conduct the investigation but because of the sensitive issues, it was appropriate to have an outside agency conduct the investigation.

Mayor Truex asked what the procedure would be if Council wished to "preserve the status quo." Ms. Delegal. Ms. Delegal recommended that the most appropriate course of action would be to place Mr. Kovanes on Administrative Leave with pay pending the investigation.

Vice-Mayor Hubert stated that everyone deserved a fair chance and Mr. Kovanes should be allowed to do his job.

Mayor Truex stated that Mr. Kovanes was innocent until proven guilty; however, the issue was potentially serious. Mayor Truex indicated that Council represented the Town and he felt it was appropriate for Mr. Kovanes to be on Administrative Leave. Mayor Truex said that the Administrative Leave was not a judgment of innocence or guilt.

Councilmember Crowley agreed with Mayor Truex and it was in Mr. Kovanes' best interest to be placed on Administrative Leave, as Mr. Kovanes needed to concentrate on what was happening.

Councilmember Paul agreed with Vice-Mayor Hubert but understood Ms. Delegal's recommendation. Councilmember Paul indicated that this was not an indication of guilt or wrongdoing. She could not believe that there was any wrongdoing but Council needed to allow the investigation to go forward.

Councilmember Starkey agreed with previous comments and she wanted a rapid, thorough investigation. She stated that the Town needed to be protected and she hoped the investigation was done quickly so the Town could move forward. Councilmember Starkey said that to preserve the integrity of the investigation, Mr. Kovanes needed to be placed on Administrative Leave with pay.

Councilmember Crowley asked if the Town could reimburse Mr. Kovanes' legal bills that were accumulated once he was cleared. Ms. Delegal responded that it would depend on the circumstances and the natures of the offenses or charges. She clarified that if the charges were unrelated to Mr. Kovanes' position, it may not be appropriate to reimburse the fees.

Vice-Mayor Hubert asked how this would be made up to Mr. Kovanes when he was cleared. Councilmember Starkey responded that the Town did not do this. Vice-Mayor Hubert stated that if Council believed in Mr. Kovanes, he should be allowed to do his job until the investigation was completed. Councilmember Starkey stated that by allowing Mr. Kovanes the time to deal with the "issues in hand" and allowing an investigation without compromise, this may add to the integrity of the investigation. She thought Mr. Kovanes would understand that Council believed in him.

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Councilmember Paul stated that if Mr. Kovanes was swayed from his duties and could not concentrate 100% on the duties, it was Council's responsibility to make sure the Town was taken care of. She did not believe there was any wrongdoing and agreed that there may be individuals who stood to benefit if Mr. Kovanes was not around.

Mayor Truex passed the gavel and made a motion to place Mr. Kovanes on Administrative Leave with all other benefits. Councilmember Crowley seconded the motion.

Vice-Mayor Hubert opened the floor to comments.

Thomas Monnay, representing the Sun Sentinel, thought Council owed the residents an explanation as to whether the allegations were from a Town employee and the nature of the allegations.

In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Hubert - no; Councilmember Crowley - yes; Councilmember Paul - yes; Councilmember Starkey - yes. (Motion carried 4-1)

Council discussed if an interim Town Administrator needed to be appointed; however, as Mr. Kovanes remained the Town Administrator, it was decided that an interim was not needed. Ms. Delegal indicated that Assistant Town Administrator Ken Cohen had the authority to carry out the duties in the absence of Mr. Kovanes.

Chief George asked that any requests for information needed to be referred to the Florida Department of Law Enforcement's Public Information Office.

Councilmember Starkey made a motion, seconded by Mayor Truex, to use Sue Delegal as special legal counsel. In a voice vote, all voted in favor. (Motion carried 5-0)

There being no further business to discuss and no objections, the meeting was adjourned at 7:18 p.m.

Approved_____

Mayor/Councilmember

Town Clerk